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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,476	11/20/2003	Ram Pandit	12513	6856
31743	7590	06/11/2009	EXAMINER	
PATENT GROUP GA030-43			STERRETT, JONATHAN G	
Georgia-Pacific LLC			ART UNIT	PAPER NUMBER
133 PEACHTREE STREET, N.E.				3623
ATLANTA, GA 30303-1847			MAIL DATE	DELIVERY MODE
			06/11/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**ADVISORY ACTION**

1. This Advisory Action is responsive to 27 May 2009.

2. The applicant argues that the claims are statutory re 35 USC 101.

The examiner respectfully disagrees.

The recitations in claim 1 only provide a nominal tie to a particular apparatus.

There still is no positively recited tie, for example, in the determining, determining and setting steps in the claim.

The applicant argues that the cited reference, Thompson, fails to teach the claimed limitations of evaluating a first load on a first segment, a second load on a second segment; and then additionally, evaluating the first load on a second segment and a second load on a first segment. The applicant alleges that this is inconsistent with Thompson's teachings because Thompson deletes segments.

The examiner respectfully disagrees.

Thompson's teachings deal with more than just a first load/segment and a second load/segment. Thompson's teachings (along with the Official Notice regarding the use of lists) suggest that one of ordinary skill in the art would evaluate a first load on a first segment and a second load on a second segment, and then switch loads between segments to see if the cost between a first load/first segment and a second load/second segment justifies switching the loads (i.e. a first load on a second segment and a second load on a first segment). The teaching in the art relied on by the

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examiner for making this assertion is the concept of cyclical transfers. The fact that Thompson deletes some segments is that in analyzing the various combinations of loads and segments, some combinations justify deleting the segment (because of the multiple, i.e. more than 2) loads and segments being analyzed.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on 571-272-6737. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS 6-9-2009  
/Jonathan G. Sterrett/  
Primary Examiner, Art Unit 3623

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